

Minutes of the Judiciary and Law Enforcement Committee - June 16, 2006

The meeting was called to order at 8:30 a.m. by Chair B.Morris.

Present: Chair Bonnie Morris, County Board Supervisors Kathleen Cummings, Rick Stevens, and Jean Tortomasi; **Absent:** Keith Harenda, Peter Gundrum and David Swan

Staff Present: County Board Chief of Staff Lee Esler, Legislative Policy Advisor Dave Krahn, Legis.Associate Sandra Meisenheimer

Also Present: District Attorney Paul Bucher, Chief Judge Kathryn Foster, Holly Patzer, (Administrator) & JoAnn Eiring (Program Director) of Wisconsin Community Services, Sheriff Dan Trawicki, Business Mgr. Tom Koth, Deputy Inspector Steve Marks, Jail Administrator Mike Giese, Corrections Captain Meg Schnabl, Employment Services Mgr. Sue Zastrow, Emergency Preparedness Director Richard Tuma, DOA Director Norm Cummings, County Executive Chief of Staff Allison Bussler, District Court Administrator Mike Neimon, Financial Analyst Lindsay Johnson

Approve Minutes of May 12, 2006

Motion: Stevens moved, second by K.Cummings, to approve the minutes of 5/12/06. Tortomasi pointed out an error. **Motion carried as amended 4 – 0.**

Executive Committee Report by Bonnie Morris of the June 5, 2006 Meeting

B.Morris related items that were discussed and/or considered at the meeting of June 5. She stated Chairman Dwyer advised that all supervisors should be very cognizant of e-mail messages if they're on the county system. Messages should be checked regularly so information is not missed. Also, no one should use the exit door at the back of the County Board office. This door should only be used as an emergency exit. If anyone is interested in going to the WCA Convention in LaCrosse in September, please get your registration forms to Windy Jicha by August 1. Glen Lewinski (Community Development Coordinator) advised of the projected shortfall of CDBG funds for 2007 that could be over a \$600,000 loss to Waukesha County. Budget meetings with the County Executive will commence soon and for the first time Vrakas has invited committee chairs to sit in on those meetings.

Future Agenda Items by Committee Members

Morris said at the meeting in July there would be an update on the Communications Center APCO Study. A tour was also suggested as well as having the meeting at the center.

Future Meeting Dates

The next meeting is scheduled for Friday, July 14, 2006.

Discussion of Letter from Wisconsin Community Services (WCS) in Regard to Funding Concerns

Patzer, Eiring, Foster, and Bucher were present. Patzer said there are about 10 programs in Waukesha County which she oversees. Eiring said she is in charge of all the pretrial programs in Waukesha County. Patzer said there basically are two pretrial programs. One is for all of the non-drunk driving type of offenses. WCS has a contract with the Criminal Justice Collaborating Council (CJCC) for this program, which has had 1.5 employees for about the last 10 years. Patzer said the second program is the drunk driving program (also known as the intensive supervision program), which started in April of 1999. It used to be funded through the Department of Transportation but now DOT funds come directly to them. In addition, the District Attorney's

office gives them \$50,000, and they also collect client fees. They started supervising second offenders at the request of the County Board, and it was also decided that every repeat drunk driver in the county should be monitored at the pretrial stage. Patzer distributed a chart with statistics on caseloads and funding which she explained. She referred to total admissions (number of new cases each year), which have been going up every year since 2003. They are on track to reach over 1,000 for 2006 (2nd or greater offenders). The majority of their cases are 2nd offenders who they have never seen before (the 1st offense is an ordinance violation and not a criminal act so they do not go to jail). Patzer said basically the two issues are – increased caseloads and reduced funding from the DOT.

B.Morris asked what are the client fees? Patzer replied \$200 which is being raised to \$250 in July; the indigent pay \$50. Tortomasi asked what is the average length of a program? Patzer said about 4-6 months; however, some are in it for a year. Stevens said he has found that some people cannot be rehabilitated and regarding the fees, many can afford to pay more. Patzer said forced treatment does work. Clients are held highly accountable and the court receives all of the information. Foster distributed a packet of samples of defendants who would be appearing in court with the status update of information on their drug/alcohol testing, treatment and comments from the counselors. Foster and Eiring summarized some of the procedures they follow when someone is in violation. Patzer said they currently have about 450 clients who appear in their office one time per week and many two times per week. They do not have the capacity for more than two times per week.

Patzer added that in 2005, 18,000 jail days were saved, which is a benefit to the Huber jail and to the system in general. Tortomasi asked do you find especially with the second offenders that they are primarily male rather than female and younger (30 or less) vs. older (30 and up)? Patzer said most of the clients are white males, unmarried and 30 -35 years old.

Bucher said in Waukesha County there are fast-track Tuesdays which are called “drunk days”. No matter what day a person is picked up, they appear in court on Tuesdays. Years ago it was a much slower process. It sometimes took 5-6 weeks to get a citation and then maybe another 6 weeks for a court date. Lock-ups occur every day at 1:30 p.m., which is for people who are in custody from the day before for a variety of offenses. WCS gets involved in several aspects. First with the pretrial program, they supply information on the people appearing in court (background information, employment info, etc.). Secondarily, there is the intensive supervision program where the person has to report to WCS, get involved with treatment and deal with his problems. It used to take a year for that but now it happens every Tuesday. Another level of programming is the treatment court. Bucher said he supports all of these programs. He added that the two issues that the county continues to struggle with, which were here 20 years ago, are drunk driving related crashes and domestic violence, and this is where the assets should be allocated.

Foster reviewed statistics on the CJCC budget. She stated that all of the programs are in this budget and administered by Human Services. The intoxicated driver’s program has overall funding of \$374,000 (\$50,000 from District Attorney; \$157,000 from DOT which is being reduced; and \$166,000 from client fees and carry-over from prior years). In addition, the pretrial supervision of non-OAWI cases with a caseload of about 170 people has \$103,000 in the current budget on the tax levy. Also, under CJCC is the Community Transition Program, known as the Shirlee Program, which deals with mentally ill clients, and the Community Service Options Program for individuals in the jail, which is a small program that works to reduce jail days. There also is the Operating After Revocation Program (OAR). Foster said the judges are willing to work with WCS and look at

other ways to keep the programs viable from a safety standpoint and making them available to service their clients. They can also talk about criteria for who is admitted to the program and length of time in the program. They will continue to look for alternatives so they can give good options when it comes to budget time.

Consider Proposed Ordinance: 161-O-023 Accept Edward Byrne Memorial Justice Assistance Program 2005 Grant Award and Modify Waukesha County Sheriff Department's 2006 Budget to Authorize Grant Expenditures

Marks and Koth explained the ordinance which authorizes the Sheriff Department to accept the 2005 Byrne Justice Assistance Grant award in the amount of \$11,281. The funds will be used to purchase three Motorola XTS 5000 hand-held mobile radios to equip the three security positions that will be staffing the secured entrance. Marks distributed information on Edward R. Byrne, who is the police officer that the Edward Byrne grant is in honor of.

Motion: K.Cummings moved, second by Tortomasi, to approve Ordinance 161-O-023. **Motion carried 4 – 0.**

Review of Jail Population Statistics

Trawicki, Giese and Schnabl were present. Trawicki stated that the inmate population continues to rise. Today the total is at 644 with 384 in the jail, 257 at Huber and 3 on electronic monitoring. The Huber population has been fairly stable.

Trawicki stated the federal inmate count is about 64 to 65. They do not have a contract with the federal government but obviously Waukesha County has a good working relationship with the Federal Marshall so the numbers are pretty much what they ask for. They could reduce the number of federal inmates in the future if necessary.

B.Morris asked what is the capacity of the new jail? Giese said the system capacity is 795 (Huber is 326 and the county jail is 469). Giese distributed a packet of statistical information which he reviewed with the committee. The jail is considered at capacity when it is 80% filled. Trawicki said if there is any good news it is the option of not having federal inmates which would make 60-65 beds available. It is a lot cheaper than building a new jail; however, if the federal inmates go away so does the money.

Tortomasi said somehow we have to apprise the public that the programs do work and if they go away there is a huge price that we will all be paying for. B.Morris said she would like to see statistics on the offenses of the jail population to show what programs are working.

Status Update on Operations of the New Jail (Daily Population, Video Conferencing, Federal Prisoner Contract)

Giese said video conferencing is really not used very much. Schnabl said it is usually at the request of other counties. Trawicki said they run two vans, 16 hours per day, 7 days a week for transporting prisoners. It is a full-time job coordinating the pick-ups every day so unnecessary trips are not made. There is some opposition in the use of video conferencing, and also some places are not set up for it. Trawicki does think there will be an increase in its use just out of necessity in the next 3-5 years or possibly sooner.

Consider Proposed Ordinance: 161-O-024 Abolish One Regular Full-time Position of Programs and Projects Analyst and Create One Regular Full-Time Position of Operations and Training Manager in the Department of Emergency Preparedness

Zastrow, Tuma and N.Cummings discussed the ordinance, which abolishes one full-time position and creates a new full-time position of Operations and Training Manager in the Department of Emergency Preparedness. There is sufficient expenditure authority to support the estimated 2006 cost of approximately \$38,000 to fill the position assuming a September 9 hire date.

N.Cummings said this new position would allow Tuma to reassign some responsibilities so there are staff for GIS and the budget. The position will assist Tuma in the operations, such as training, etc. K.Cummings asked about the new position helping with the budget. N.Cummings said the position certainly has the ability to help but basically it will free up Tuma and other staff. He stated they believe this position is so important that they (DOA) will be stepping up to help out.

Tortomasi said at the next meeting, when you give an update, can you give us detailed information as to the progress with the Spillman system. Tuma said yes. Tuma distributed statistical information on the Waukesha County Communications for the first 12 months of activity with all agencies on-line (phone activities, radio activity and CAD activity). He also handed out copies of a letter from Chief Russell Ehlers of the Village of Eagle Police Department complimenting and thanking the employees of the Communications Center on the services they perform.

Motion: Tortomasi moved, second by Stevens, to approve Ordinance 161-O-024. **Motion carried 4 – 0.**

Legislative Update

Krahn distributed and discussed his status update on successes and challenges of 2005 state legislation pertaining to the Judiciary and Law Enforcement Committee.

Marks returned briefly to give a short demo of the Motorola XTS 5000 hand-held mobile radios that are being purchased with the Edward Byrne grant.

Motion to adjourn: Stevens moved, second by K.Cummings, to adjourn the meeting at 11:24 a.m. **Motion carried 4 – 0.**

Respectfully submitted,

Kathleen M. Cummings
Secretary

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